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FILED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JUN 27 2008 NF  
Jun 27, 2008  
MICHAEL W. BOBBINS  
CLERK, U.S. DISTRICT COURT

Dorothy Murphy  
Plaintiff(s)

08 cv 3143

Case No.

08 CV 3143  
Judge Kennelly  
Mag. Judge Cox

Internal Revenue  
310 Lowell Street  
Stop 824  
Massachusetts Exams  
05501-1111

Defendant(s)

~~Notice of Appeal and reconsideration of the facts in this case before the court~~  
Please send letter for additional information pertaining to 06521 so I can prove my side also Barry Hans is the guy who owes F.R.S. for Pinnacle Healthcare of Berwyn he owes you all taxes not me which has something to do with the confidential settlement for 9/21/2007 settlement and I was forced to settle I kept saying I wanted to appeal so they try to dismiss the lawsuit so I'm filing and appeal to that fact and a amended complaint for 06521 for Dorothy Murphy verses Pinnacle Healthcare of Berwyn  
Barry Hans is you guy we owe 17,000.00

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
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Jun 27, 2008  
MICHAEL W. BORDING  
CLERK, U.S. DISTRICT COURT

Dorothy Murphy  
Plaintiff(s)

Case No.

08CV3143  
08cv3143

Internal Revenue  
Defendant(s)  
310 Cowell Street  
Stop 826 Andover Massachusetts  
05501 - Att: Exams

Notice of Appeal concerning  
my refund

Refund I don't owe F.R.S. holding

NO detail Bill I receive a C.P.O.S Notice and it  
just states I reviewing your refund for accuracy  
and correctness of the return so I asking them  
to release my refund that was file with  
H.R. block which the young lady Paulette  
Porter on March 9, 2008 my daughter Lovella  
Abston where with me when I electronically file  
so please allow my the right to appeal  
and submit the evidence that this court is  
covering up pertaining to this lawsuit and to  
of 101000 employment income and my dependant  
and mines I have birth certificate

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Dorothy Murphy  
Dorothy Murphy Plaintiff(s)

Case No. 08CV3143

Internal Revenue  
Defendant(s)  
310 Lowell Street  
Stop 824 Andover Massachusetts  
05501 - Attn: Exams

Notice of Appeal concerning my  
Refund I don't owe I.R.S. no bill I received POS.  
Notice dated April 21, 2008 30 days has past where I am  
Filing an appeal Cause I.R.S. has my refund

in Review and I don't owe them any monies  
and it probably due to a previous lawsuit which  
was settle in Sept in 2007 I think Oct 4, 2007  
to be exact the earn in com tax credit I am claiming  
is Settlement that came exactly from pinnacle Health  
Care of Berwyn 3601 S. Harlem Ave Berwyn IL 60602  
Settlement amount \$10,000 check in the form of cashed  
check \$175.00 itemized deductions for state and Federal  
or other taxes medical etc. were \$25.00 was taken  
out of \$10,000 employment lawsuit Backpay front pay  
Vacation Holiday etc. wages for damages and the intaking  
my days and hour a putting in sorbedination on my record  
case number 06521, Judismanning district judge, Aoral line seat back  
Magistrate, Atty for defendant Deonmath A. Henry, Anthony Masipato  
Dorothy Murphy me Plaintiff.

Order Form (01/2005)

Case 1:08-cv-03143 Document 3 Filed 06/20/2008 Page 1 of 1

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Matthew F. Kennelly	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 3143	DATE	6/20/2008
CASE TITLE	Murphy vs. Internal Revenue Service		

## DOCKET ENTRY TEXT

Plaintiff Dorothy Murphy's "motion to appeal" a decision concerning the Internal Revenue Service's review of her tax return is denied [# 1] for the reasons stated below. The Clerk is directed to terminate this case.

■ [ For further details see text below. ]

Docketing to mail notices.  
\* Mail AO 450 form.

## STATEMENT

*Pro se* plaintiff Dorothy Murphy has filed a "motion to appeal" a decision by the IRS concerning her tax return. Though Ms. Murphy's motion is not entirely clear, it appears that she has received a notice from the IRS of taxes due and that the IRS is improperly holding her tax refund.

This motion, even if it is construed as the filing of a case, cannot properly be filed in this Court. Under the Internal Revenue Code, 26 U.S.C. § 7422(a), no lawsuit may be maintained in any court for the recovery of income taxes claimed to have been erroneously collected or assessed (etc.), until a claim for refund has been filed and pursued with the IRS. Because there is no indication in Ms. Murphy's complaint that she has followed those procedures, this Court lacks jurisdiction over her claim.

The Court therefore denies Ms. Murphy's motion and directs the Clerk to terminate this case.

Courtroom Deputy  
Initials:

mk

**SEVENTH CIRCUIT COURT OF APPEALS INFORMATION SHEET**

Include the names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal. Use a separate sheet if needed.

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION DOCKET NUMBER: 08 cv 3143

PLAINTIFF (Petitioner)

v.

DEFENDANT (Respondent)

Murphy/appellant	IRS/appellee
------------------	--------------

(Use separate sheet for additional counsel)

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name	Dorothy Murphy	Name	AUSA
Firm	pro-se	Firm	U.S. Atty Ofc.
Address	5310 W. North Ave. #2 Chgo. Il. 60639	Address	219 So. Dearborn Suite 500 Chgo.II. 60604
Phone		Phone	312) 353-5300

Other Information			
District Judge	Kennelly	Date Filed in District Court	6/20/08
Court Reporter	L. Brennan X-5785	Date of Judgment	6/23/08
Nature of Suit Code	890	Date of Notice of Appeal	6/27/08

COUNSEL: Appointed ☐ Retained ☐ Pro Se ☒

FEE STATUS: Paid ☐ Due ☒ IFP ☐  
IFP Pending ☐ U.S. ☐ Waived ☐

Has Docketing Statement been filed with the District Court Clerk's Office? Yes ☐ No ☒

If State/Federal Habeas Corpus (28 USC 2254/28 USC 2255), was Certificate of Appealability:

Granted ☐ Denied ☐ Pending ☐

If Certificate of Appealability was granted or denied, date of order: \_\_\_\_\_

If defendant is in federal custody, please provide U.S. Marshall number (USM#): \_\_\_\_\_

**IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(A). Rev 04/01**

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Matthew F. Kennelly	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 3143	DATE	6/20/2008
CASE TITLE	Murphy vs. Internal Revenue Service		

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Courtroom Deputy  
Initials:

mk

APPEAL, TERMED

**United States District Court**  
**Northern District of Illinois - CM/ECF LIVE, Ver 3.2.1 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-03143**  
**Internal Use Only**

Murphy v. Internal Revenue Services  
Assigned to: Honorable Matthew F. Kennelly  
Cause: 28:1331 Federal Question

Date Filed: 06/20/2008  
Date Terminated: 06/20/2008  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: Federal Question

**Plaintiff****Dorothy Murphy**

represented by **Dorothy Murphy**  
5310 West North Avenue  
#2  
Chicago, IL 60639  
773-544-6884  
PRO SE

V.

**Defendant****Internal Revenue Services**

represented by **AUSA**  
United States Attorney's Office (NDIL)  
219 South Dearborn Street  
Suite 500  
Chicago, IL 60604  
(312) 353-5300  
Email:  
USAILN.ECFAUSA@usdoj.gov  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/30/2008	<a href="#">1</a>	MOTION by Plaintiff Dorothy Murphy to Appeal a Decision concerning the I.R.S. Review. (Poor Quality Original-Paper Document on File) (gej, ) (Entered: 06/02/2008)
05/30/2008	<a href="#">2</a>	NOTICE of Motion by Dorothy Murphy regarding MOTION by Plaintiff Dorothy Murphy to Appeal a Decision <a href="#">1</a> . (gej, ) (Entered: 06/02/2008)
06/20/2008	<a href="#">3</a>	MINUTE entry before the Honorable Matthew F. Kennelly:Plaintiff Dorothy

		Murphy's "motion to appeal" a decision concerning the Internal Revenue Service's review of her tax return is denied [# 1] for the reasons stated below. The Clerk is directed to terminate this case. Civil case terminated. Mailed notice (gej, ) (Entered: 06/23/2008)
06/27/2008	<a href="#">4</a>	NOTICE of appeal by Dorothy Murphy regarding orders <a href="#">3</a> (Attachments: # <a href="#">1</a> additional letter) (Fee Due)(dj, ) (Entered: 07/07/2008)
07/07/2008	<a href="#">5</a>	NOTICE of Appeal Due letter sent to counsel of record (dj, ) (Entered: 07/07/2008)